

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

AUG 28 2024

LACRA A. AUSTIN, CLERK
BY: 
DEPUTY CLERK

UNITED STATES OF AMERICA

v.

FRANK LUCIO CARILLO

)
)
) Criminal Case No. 5:24CR16
)
) In violation of:
)
) 18 U.S.C. § 871(a) (Threats Against the Vice
) President of the United States)
) 18 U.S.C. § 875(c) (Interstate
) Communications with a Threat to Kidnap
) or Injure)
) 18 U.S.C. § 879(a)(1) (Threats Against a
) Former President of the United States)
)

INDICTMENT

The Grand Jury charges that:

Introduction

At all times relevant to this Indictment:

The Social Media Platform GETTR

1. GETTR is an online social media platform and micro blogging website owned by GETTR USA, Inc. GETTR is headquartered in New York, New York.

2. According to its website, GETTR is as “a social media platform built on the foundation of freedom of opinion and expression.” GETTR advertises that it “offers the voice of freedom to its users, allowing for unfiltered discourse and sharing of information, news, and thoughts with your friends, family, and those around the world!” GETTR launched in July 2021 and “is the fastest growing social media platform in history, reaching 1 million users in just three days.” GETTR promotes that it allows users to “Escape Cancel Culture – GETTR will never suspend, deplatform, or censor you for your views. Protecting your ability to speak freely and have your voice heard is our top priority!”

3. GETTR solicits users from throughout the United States and abroad.

4. GETTR can be accessed through the internet at <https://gettr.com>, as well as through the GETTR mobile application (“app”). GETTR features advertisements and allows users to download an application through the Apple App Store and Google Play.

5. GETTR is publicly accessible. GETTR can be viewed through any internet browsers without an account. GETTR comments can be viewed with an account, which is free to create with any email address.

6. GETTR users can post articles, statements, and links to other websites, as well as comment on and reply to other users’ posts. GETTR allows for traditional micro-blogging, livestreaming, in-app editing and filtering of images, in-app video editing, direct messaging, and the ability to post videos and images. GETTR post messages can include up to 777 characters.

Defendant’s GETTR Account and Posts

7. The defendant, FRANK LUCIO CARILLO, was a resident of Winchester, Virginia, which is located within the Western District of Virginia.

8. FRANK LUCIO CARILLO’s home used Shentel/GloFiber as an internet service provider.

9. FRANK LUCIO CARILLO established a GETTR account on or about June 15, 2023 with the username “Joemadarats1.” FRANK LUCIO CARILLO accessed GETTR through his home computer and his mobile device.

10. FRANK LUCIO CARILLO used the GETTR username “Joemadarats1” to make, transmit, and post comments and statements on GETTR. On some occasions, FRANK LUCIO CARILLO self-censored one or more words in his posts by using asterisks to indicate a partial redaction of an expletive or otherwise profane language. Other times, FRANK LUCIO CARILLO used complete, uncensored expletives in his publicly viewable posts on GETTR.

COUNTS ONE THROUGH FIVE
Threats Against the Vice President of the United States
(18 U.S.C. § 871(a))

11. Paragraphs 1 through 10 are incorporated as stated herein.

12. On or about each of the dates set forth below, in the Western District of Virginia and elsewhere, the defendant, FRANK LUCIO CARILLO, did knowingly and willfully make a threat to take the life of, to kidnap, and to inflict bodily harm upon the Vice President of the United States, Kamala Harris, specifically through the threats described below, which were each transmitted as individually posted GETTR messages and constitute separate counts:

COUNT	DATE	TIME	THREAT
ONE	July 27, 2024	07:43:38 EDT	"Just for being a Democrat you're going to die crap La Harris that's a f***** promise I'm going to find you and your f***** family and I'm going to kill you all you f***** waste of life I can't wait to rip your eyes out of your f***** head with a pair of eyes you piece of s*** and nothing but scum of the Earth and you're going to die like it."
TWO	July 27, 2024	07:56:34 EDT	"Harris is going to regret ever trying to become president because if that ever happened I will personally pluck out her eyes with a pair of pliers but first I will shoot and kill everyone that gets in my way that is a f***** promise."
THREE	July 27, 2024	10:13:34 EDT	"It's crapler Harris the dunce the moron the ignorant piece of s*** who doesn't know whether it's day one night her brain is fried and when you try and steal the selection we're going to steal your lives that's a promise."
FOUR	July 27, 2024	10:17:09 EDT	"Kamala Harris needs to be put on fire alive I will do it personally if no one else does it I want her to suffer a slow agonizing death."
FIVE	July 27, 2024	10:29:23 EDT	"Listen to me crappler Harris also known as cunt Harris you don't have a snowballs chance in hell which is exactly where you're going and soon I will cut your eyes out of your FUCKING head while you're alive bitch and I will make sure you suffer a slow agonizing death you piece of shit."

13. All in violation of Title 18, United States Code, Section 871(a).

COUNTS SIX THROUGH TEN

***Interstate Communications with a Threat to Kidnap or Injure
(18 U.S.C. § 875(c))***

14. Paragraphs 1 through 10 are incorporated as stated herein.

15. On or about each of the dates set forth below, in the Western District of Virginia and elsewhere, the defendant, FRANK LUCIO CARILLO, knowingly and willfully did transmit in interstate and foreign commerce a communication posted publicly on the website and social media platform GETTR, and the communication contained a threat to kidnap and injure the victim, the Vice President of the United States, Kamala Harris, specifically through the threats described below, which were each transmitted as individually posted GETTR messages and constitute separate counts:

COUNT	DATE	TIME	THREAT
SIX	July 27, 2024	07:43:38 EDT	"Just for being a Democrat you're going to die crap La Harris that's a f***** promise I'm going to find you and your f***** family and I'm going to kill you all you f***** waste of life I can't wait to rip your eyes out of your f***** head with a pair of eyes you piece of s*** and nothing but scum of the Earth and you're going to die like it."
SEVEN	July 27, 2024	07:56:34 EDT	"Harris is going to regret ever trying to become president because if that ever happened I will personally pluck out her eyes with a pair of pliers but first I will shoot and kill everyone that gets in my way that is a f***** promise."
EIGHT	July 27, 2024	10:13:34 EDT	"It's crapler Harris the dunce the moron the ignorant piece of s*** who doesn't know whether it's day one night her brain is fried and when you try and steal the selection we're going to steal your lives that's a promise."
NINE	July 27, 2024	10:17:09 EDT	"Kamala Harris needs to be put on fire alive I will do it personally if no one else does it I want her to suffer a slow agonizing death."

TEN	July 27, 2024	10:29:23 EDT	"Listen to me crappler Harris also known as cunt Harris you don't have a snowballs chance in hell which is exactly where you're going and soon I will cut your eyes out of your FUCKING head while you're alive bitch and I will make sure you suffer a slow agonizing death you piece of shit."
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16. All in violation of Title 18, United States Code, Section 875(c).

COUNTS ELEVEN AND TWELVE
Threats Against the Former President of the United States
(18 U.S.C. § 879(a)(1))

17. Paragraphs 1 through 10 are incorporated as stated herein.

18. On or about each of the dates set forth below, in the Western District of Virginia and elsewhere, the defendant, FRANK LUCIO CARILLO, knowingly and willfully threatened to kill, kidnap, or inflict bodily harm upon former President of the United States Barack Obama, specifically through the threats described below, which were each transmitted as individually posted GETTR messages and constitute separate counts:

COUNT	DATE	TIME	THREAT
ELEVEN	July 27, 2024	10:05:15 EDT	"I think he's taking a big chance with the CIA they work for f***** scumbag Obama he's going to die no matter what whether you getting office or not he will die and he will suffer dying Obama and his f**** disgusting vile wife boyfriend whatever the f*** you want to call him they will die the whole family will die that is my promise we the people have spoken"
TWELVE	July 27, 2024	15:43:32 EDT	"Soon Barack Obama and his whole family will be dead the people will kill them we will torture them to death and then we will hang them just like they belong hung in the nearest tree so everyone can see the scum that they are a naked walk over to them and carve their initials in them that is their whole family I don't give a f*** who it is but the whole family is going to die we will hunt you down and we will torture to you to death"

19. All in violation of Title 18, United States Code, Section 879(a)(1).

COUNTS THIRTEEN AND FOURTEEN
Interstate Communications with a Threat to Kidnap or Injure
(18 U.S.C. § 875(c))

20. Paragraphs 1 through 10 are incorporated as stated herein.

21. On or about each of the dates set forth below, in the Western District of Virginia, the defendant, FRANK LUCIO CARILLO, knowingly and willfully did transmit in interstate and foreign commerce a communication posted publicly on the website and social media platform GETTR, and the communication contained a threat to kidnap and injure the victim, namely the former President of the United States, Barack Obama, specifically through the threats described below, which were each transmitted as individually posted GETTR messages and constitute separate counts:

COUNT	DATE	TIME	THREAT
THIRTEEN	July 27, 2024	10:05:15 EDT	"I think he's taking a big chance with the CIA they work for f***** scumbag Obama he's going to die no matter what whether you getting office or not he will die and he will suffer dying Obama and his f**** disgusting vile wife boyfriend whatever the f*** you want to call him they will die the whole family will die that is my promise we the people have spoken"
FOURTEEN	July 27, 2024	15:43:32 EDT	"Soon Barack Obama and his whole family will be dead the people will kill them we will torture them to death and then we will hang them just like they belong hung in the nearest tree so everyone can see the scum that they are a naked walk over to them and carve their initials in them that is their whole family I don't give a f*** who it is but the whole family is going to die we will hunt you down and we will torture to you to death"

22. All in violation of Title 18, United States Code, Section 875(c).

A TRUE BILL, this 28th day of August 2024.

/s/FOREPERSON
FOREPERSON


CHRISTOPHER R. KAVANAUGH
UNITED STATES ATTORNEY